

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Order Instituting Rulemaking to Examine the  
Commission's Future Energy Efficiency Policies,  
Administration and Programs.

Rulemaking 01-08-028  
(Filed August 23, 2001)

**ADMINISTRATIVE LAW JUDGE'S RULING GRANTING MOTION OF  
PACIFIC GAS AND ELECTRIC COMPANY TO SHIFT  
UNSPENT UNCOMMITTED ENERGY EFFICIENCY FUNDS**

On August 5, 2003, Pacific Gas and Electric Company (PG&E) filed a motion seeking authorization to shift unspent uncommitted Public Good Charge (PGC) funds from the energy efficiency budget allocated by Decision (D.) 00-17-017 for two purposes:

1. pay for Energy Division (ED) staff costs incurred in 2001 and 2002, but were not invoiced until 2003, and
  2. to supplement the 2003 funding for the PG&E Pacific Energy Center.
- I. PG&E'S request to shift \$95,837.75 of unspent uncommitted funds to pay invoices submitted by the Energy Division for work performed in 2001 and 2002 but not invoiced until 2003**

The Commission's oversight of energy efficiency programs is funded, in part, by the investor owned utilities.<sup>1</sup> In 2001 and 2002, the ED supplemented its

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<sup>1</sup> The State of California Budget for the Fiscal Year 1999-2000 Final Change Book states that the \$262,000 annual fiscal year budget for California Board for Energy Efficiency (CBEE), to be paid by the investor owned utilities. The CBEE funds a number of staff persons engaged in the regulation of energy efficiency programs at the Commission.

*Footnote continued on next page*

existing staff with additional personnel. The work was performed in 2001 and 2002, but the ED did not send associated invoices to PG&E until early 2003. By that time, PG&E had already carried over the unspent 2001 and 2002 ED budgets into 2003 energy efficiency (EE) programs.

PG&E requests authorization to shift \$95,837.75 from unspent, uncommitted funds from the budget required by D.00-07-017 to pay the invoices for the ED staff work. ED staff confirm PG&E's statements here and this ruling authorizes PG&E's request.

## **II. PG&E'S request to fund the Pacific Energy Center**

D.03-04-055 authorized \$3,195,000 for the Pacific Energy Center (PEC), stating that, "The utility reported low expenditure in 2002 and does not justify higher spending on the basis of significant program changes. Therefore, the 2003 budget for this program equals the annualized amount approved for 2002." (D.03-04-055, Attachment 2, p.24). PG&E's motion states, to the contrary, that the 2003 budget for the PEC is 20% less than the 2002 approved amount and that it spent the entire budget on PEC programs in 2002. It asks that the Commission restore the budget level for several reasons. It explains that the PEC spent the entire 2002 budget for the last three quarters of 2002, as reported in PG&E's Fourth Quarter Report, filed in February 2003, and confirmed by the Fourth Quarter 2002 Update, filed in May 2003.

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(Budget Final Change Book, at 727) Ordering Paragraph 9 of Decision 00-02-045 allocated 30% of this amount or \$78,600 per year to PG&E. However, footnote #21 of D.02-05-045 increased PG&E's allocation to \$87,600 for the year 2002. Per D.03-04-055. PG&E's allocation was increased to \$126,978.

It also states it will significantly expand Pacific Energy Center activities in 2003, especially in hard-to-reach areas. In 2003, PG&E explains the Pacific Energy Center has a target of 30 classes in geographical hard-to-reach areas, a twenty percent increase over the 2002 target. Also, in 2003, the PEC plans to work with almost double the number of local governments and environmental departments. This increased use of the PEC and accompanying development of program material justifies the higher budget for 2003.

PG&E requests authorization to shift \$880,000 from uncommitted, unspent funds from previous years to the PEC Program Year 2003 budget of \$3,195,000 in order to provide the PEC with funding more nearly equal to the amount approved for 2002, as the Commission seems to have intended. This additional funding will ensure that it may continue to work with local governments and offer classes in communities outside the Bay Area for the rest of 2003.

### **III. Conclusion**

PG&E proposes to use a portion of these unspent funds to pay for Commission energy efficiency staff and to increase the budgeted funds for the PEC to a level equal to that approved for 2002. PG&E's proposals are consistent with the Commission's policies and the intent of past Commission orders. PG&E's requests would promote the Commission's goal to increase energy savings. Therefore, PG&E's motion is granted as set forth herein.

#### **IT IS RULED that:**

1. Pacific Gas and Electric Company (PG&E) is authorized to reallocate \$95,837.75 from unspent, uncommitted funds to fund Commission staff work on energy efficiency programs.
2. PG&E is authorized to reallocate \$880,000 from unspent, uncommitted funds to the activities of the Pacific Energy Center so that it may increase its

services to local governments and offer seminars and classes outside the Bay Area in 2003.

Dated October 9, 2003, at San Francisco, California.

/s/ KIM MALCOLM  
Kim Malcolm  
Administrative Law Judge

**CERTIFICATE OF SERVICE**

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Granting Motion of Pacific Gas and Electric Company to Shift Unspent Uncommitted Energy Efficiently Funds on all parties of record in this proceeding or their attorneys of record.

Dated October 9, 2003, at San Francisco, California.

/s/ HELEN FRIEDMAN  
Helen Friedman

**N O T I C E**

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to ensure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

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